



Town of Allenstown
Town Administrator
16 School St.
Allenstown, NH 03275
603-485-4276 ext. 112
smulholland@allenstownnh.gov

October 24, 2016

Property Owners of Riverside Dr.

RE: Notice of Public Hearing

On October 24th, 2016 the Board of Selectmen received a petition from Ryan Carter of 76 Riverside Dr. requesting the Board to declare Riverside Dr. an emergency way under the provisions of RSA 231:59-a.

The Board of Selectmen will hold a public hearing on **Monday, November 7th, 2016 at 6 PM at the Town Hall, 16 School St. Allenstown NH.** The Board will receive public comment in regards to the proposed action requested in the petition. The provisions of the statute are provided below.

231:59-a Emergency Lanes. –

I. Notwithstanding RSA 231:59 or any other provision of law, a town may raise and appropriate, and the selectmen may expend, money for the repair of any class VI highway or private way which has been declared an emergency lane under paragraph II. Such repair may include removal of brush, repair of washouts or culverts, or any other work deemed necessary to render such way passable by firefighting equipment and rescue or other emergency vehicles. A capital reserve fund under RSA 35 or a trust fund under RSA 31:19-a may be established for this purpose.

II. No expenditures shall be made under paragraph I unless the selectmen, following a public hearing, declare the relevant class VI highway, private way, or portion thereof, as an emergency lane, and make written findings, recorded in the minutes of the meeting, that the public need for keeping such lane passable by emergency vehicles is supported by an identified public welfare or safety interest which surpasses or differs from any private benefits to landowners abutting such lane.

III. In the case of a private way, notice shall be mailed to all persons known to have a legal interest in the way, 10 days prior to the hearing, and the emergency lane shall not be declared if permission is denied by any person with a legal right to deny such permission. Neither the appearance nor non-appearance of such persons at the hearing shall prevent such permission from later being denied or withdrawn.

IV. A declaration under this section may be rescinded or disregarded at any time without notice. This section shall not be construed to create any duty or liability on the part of any municipality toward any person or property. Utilization of this section shall be at the sole and unfettered discretion of a town and its officials, and no landowner or any other person shall be entitled to damages by virtue of the creation of emergency lanes, or the failure to create them, or the maintenance of them, or the failure to maintain them, and no person shall be deemed to have any right to rely on such maintenance. This section shall not be deemed to alter the classification or legal status of any highway or private way, or to limit or restrict the authority of towns to

regulate the use of class VI highways pursuant to such statutes as RSA 41:11, RSA 236:9--13, and RSA 674:41, or to authorize any person to pass over any private way when permission has been denied. This section shall not be deemed to alter the duties or powers of any party under RSA 227-L concerning forest fires.

Source. 1994, 80:1. 1995, 299:12, eff. Jan. 1, 1996.

Property owners may appear in person, provide testimony by mail/email or deny permission as outlined in paragraph III above in the same fashion.

If you have any questions or concerns please do not hesitate to contact me.



Shaun Mulholland
Town Administrator

Signature Certificate



Document Reference: WSYSMUIEC33T22PC6CC5N6

RightSignature
Easy Online Document Signing



Shaun Mulholland

Party ID: ZZA84DIDG5BLTZ2NVT3C7H

IP Address: 64.222.96.214

VERIFIED EMAIL: smulholland@allentownnh.gov

Electronic Signature:

Multi-Factor
Digital Fingerprint Checksum

d2772e62e0f5f91fa5ca7085d015d99019dc407a



Timestamp

2016-10-25 08:00:46 -0700

2016-10-25 08:00:45 -0700

2016-10-25 08:00:37 -0700

2016-10-25 08:00:37 -0700

Audit

All parties have signed document. Signed copies sent to: Shaun Mulholland and Shaun Mulholland.

Document signed by Shaun Mulholland (smulholland@allentownnh.gov) with drawn signature. - 64.222.96.214

Document viewed by Shaun Mulholland (smulholland@allentownnh.gov). - 64.222.96.214

Document created by Shaun Mulholland (smulholland@allentownnh.gov). - 64.222.96.214



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